



APPLICATION ACCEPTED: May 19, 2014  
BOARD OF ZONING APPEALS: October 1, 2014  
TIME: 9:00 a.m.

## County of Fairfax, Virginia

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September 24, 2014

### STAFF REPORT

**SPECIAL PERMIT NO. SP 2014-SP-073**

### SPRINGFIELD DISTRICT

**APPLICANT:** Maninder K. Labana  
Little Footsteps Daycare Center

**OWNERS:** Samarajit Singh  
Gurcharan K. Singh

**STREET ADDRESS:** 5935 Colchester Road, Fairfax, 22030

**TAX MAP REFERENCE:** 66-4 ((1)) 8A

**LOT SIZE:** 2.36 acres

**ZONING DISTRICT:** R-C, WS

**ZONING ORDINANCE PROVISIONS:** 8-305

**SPECIAL PERMIT PROPOSAL:** To permit a home child care facility.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2014-SP-073 for the home child care facility with adoption of the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

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Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703-324-1290 FAX 703-324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**

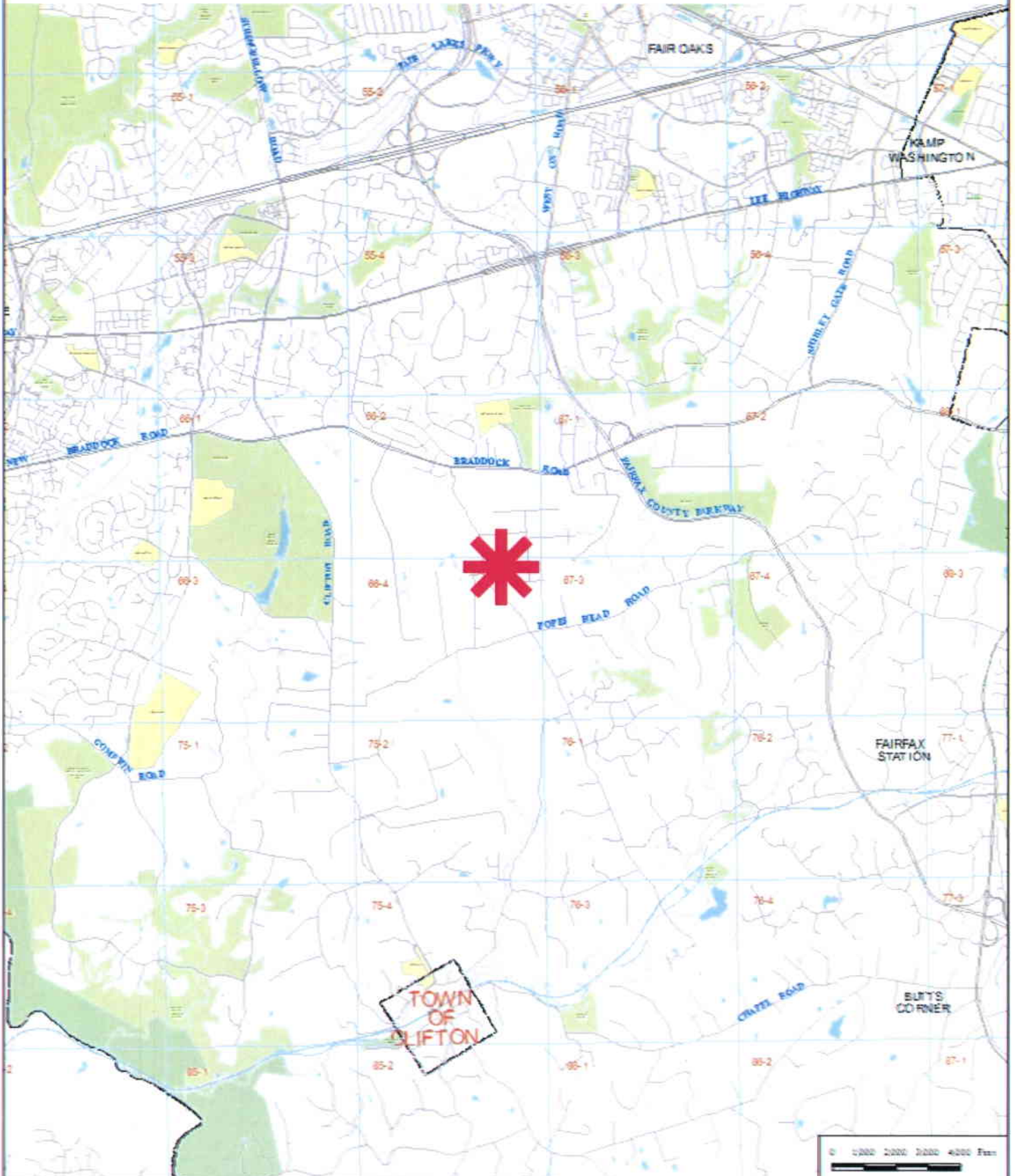


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Permit

SP 2014-SP-073

MANINDER K. LABANA LITTLE FOOTSTEPS  
DAYCARE CENTER

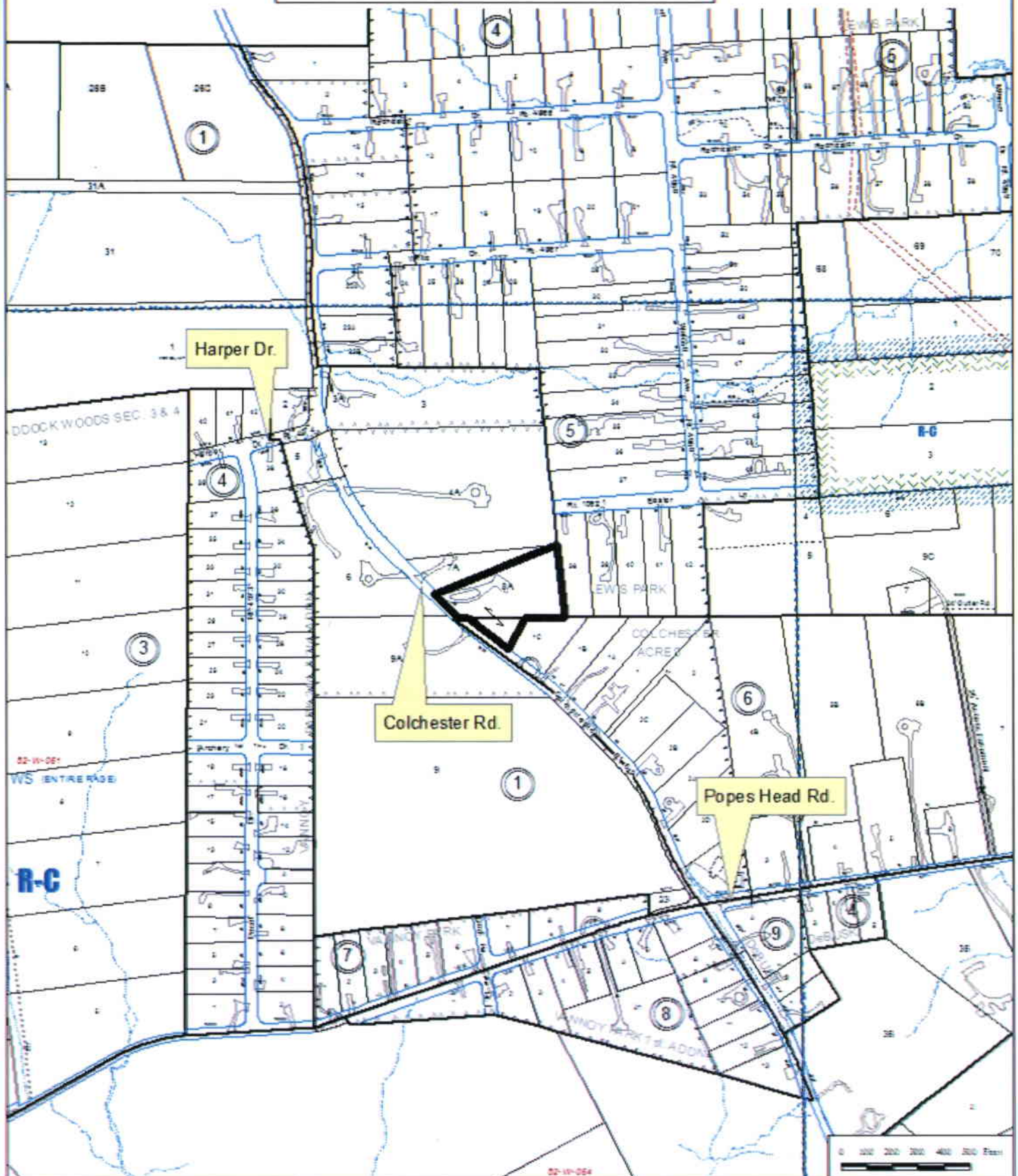




# Special Permit

SP 2014-SP-073

MANINDER K. LABANA LITTLE FOOTSTEPS  
DAYCARE CENTER



1) THE BRANDER PUMP AND LATERAL IS A PRIVATE SYSTEM OWNED AND MAINTAINED BY THE HOMEOWNER AND NOT MARICOPA COUNTY.

- THERE ARE NO RESOURCE PROTECTION AREAS ON THIS SITE  
THE IMPERVIOUS AREA PROPOSED IS 10,120 SF (2) WHICH IS  
10% OF THE SITE. THEREFORE UNDER SECTION 16-3-2(1)(i)  
OF THE CODE OF THE COUNTY OF FAIRFAX, NO WAIVER OF  
CUESAPEAKE BAT PROVISIONS IS REQUIRED.  
ATTENDING ALL DIFFERENTS ARE TO BE PAID



OF FILING SPENDING QIMP IS NOT ACCESSIBLE

[illegible][illegible]

LEGEND	EXISTING	PROPOSED
TOPOGRAPHY	75%	75%
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DEPARTING PROPERTY LINE	---	---
CENTERLINE	---	---
EDGE OF PAVEMENT	---	---

CE TEMPORARY GRAVEL  
CONSTRUCTION ENTRANCE

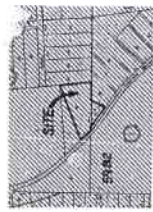
SE TEMPORARY Silt FENCE

THE HORIZONTAL AND VERTICAL LOCATION OF UNDERGROUND ELECTRICAL GAS, CABLE TV AND TELEPHONE UTILITIES SHOWN ON THESE PLANS WAS TAKEN FROM AVAILABLE INFORMATION FURNISHED BY THE APPROPRIATE UTILITIES.

[illegible]

OWNER

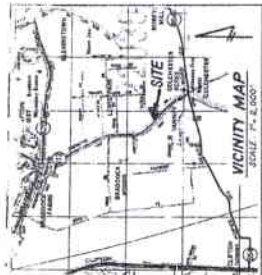
BALWANT S MULTANI  
5600 GOBIND LANE  
FAIRFAX STATION, VA 22039  
GURCHARAN K @  
SAMARJIT SINGH  
% BALWANT MULTANI



SCALE: 1" = 500'

5982 - ORANGE SILT LOAM, A TYPE

SEE GEOTECHNICAL REQUIREMENT SHEET 2



## LAND CONSERVATION NOTES

- [illegible]

AC

THE EROSION AND SEDIMENT CONTROLS SHOWN ON THIS PLAN HAVE BEEN DESIGNED IN ACCORDANCE WITH THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK 1982. THIRD ADDITION.

## CHOISON AND SEDIMENT CONTROL

1. INSTALL CONSTRUCTION ENTRANCE
2. INSTALL SILT FENCES IN THEIR LOCATION
3. CLEAR SITE
4. CONSTRUCT HOUSE
5. PERMANENTLY STABILIZE DISTURBED AREAS WITH SEEDING, MULCH, OR EROSION CONTROL STANDARD APPROVED BY THE DISTRICT
6. REMOVE ERS CONTROLS WITH THE HOUSE

[illegible]

SPECIAL SUPERVISOR, OR OTHER RESPONSIBLE PERSONNEL, SHALL MAKE A VISUAL INSPECTION OF ALL MECHANICAL CONTROLS ON NEWLY REPAIRED VEHICLES (E.G., SEATED AND WALCHED AND/OR WOODS) AFTER A CALL TO THE TOLL FREE NUMBER. A HEAVY RAINFALL EVENT IN THE AREA WILL BE MAINTAINED AND PROPERLY FUNCTIONING. THEY HANGLED ONLY ONE REMAIND PRIOR TO THE END OF THE WORK DAY INCLUDING RE-ENTRY OF THE MACHINE ON RE-JOINING IF NECESSARY.

## 2. ALL- ARCO — COP GRADING

APPROVED FOR GRANTING THE

8

BY \_\_\_\_\_  
DATE 7-11-07

51

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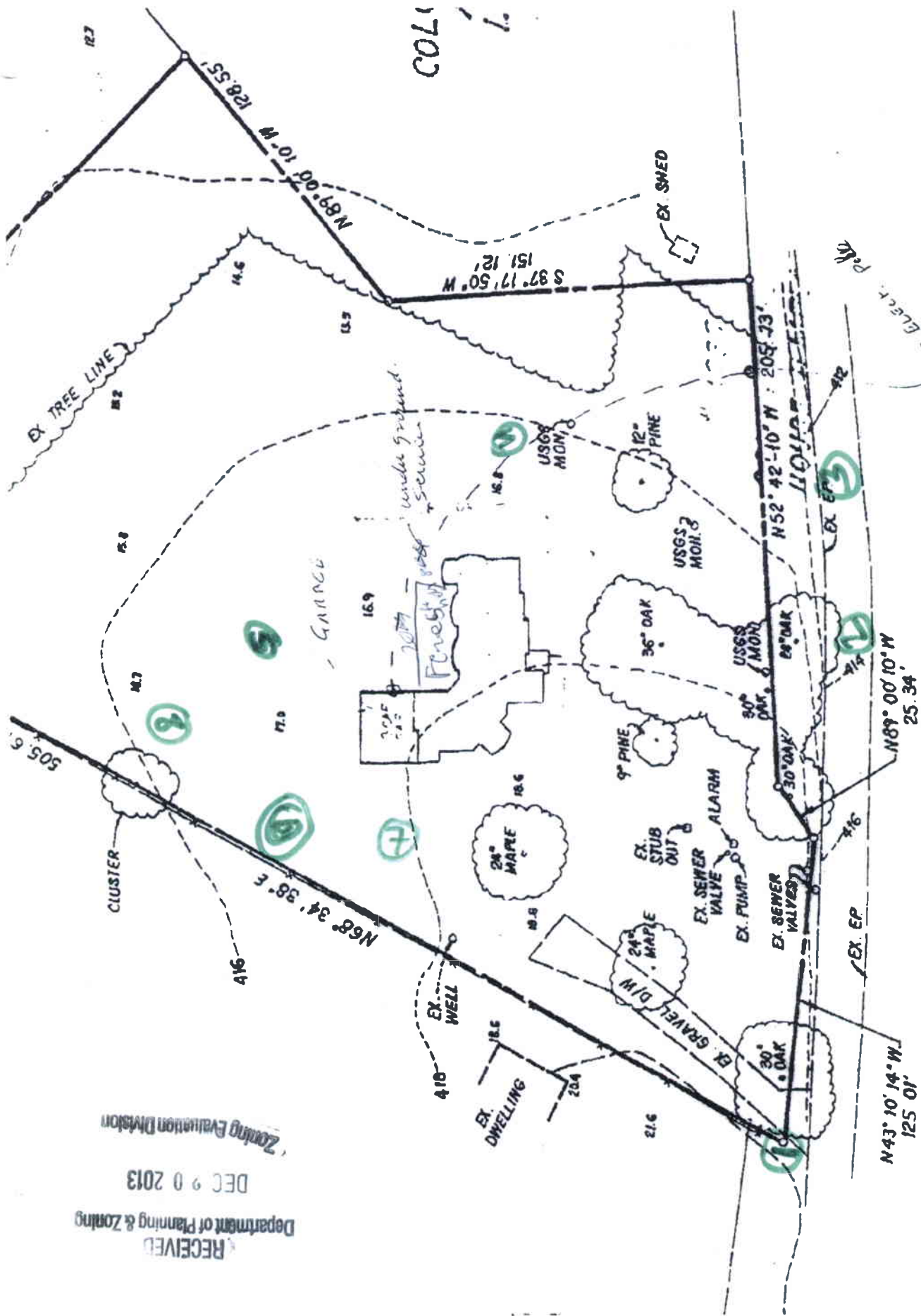
SCALE 1:50 15935 00

DATE: 5-3-1969  
DESIGNED  
GRADING

REVISIONS:



RECEIVED  
 Department of Planning & Zoning  
 DEC 9 0 2013  
 Zoning Evaluation Division



5935, COLCHESTER ROAD  
 ROUTE 612

281-5055

SAMANTHA SMITH and GREGG SMITH K. SMITH



① Left view from  
Colchester Rd

RECEIVED  
Department of Planning & Zoning

DEC 20 2013

Zoning Evaluation Division



② Front view from  
Colchester Rd





③ Right Frontview  
from Colchester Rd

RECEIVED  
Department of Planning & Zoning

DEC 20 2013

Zoning Evaluation Division



④ Side View



⑤ Back View



RECEIVED  
Department of Planning & Zoning

DEC 20 2013

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⑥ Back Right View



⑦ Side view



RECEIVED  
Department of Planning & Zoning  
DEC 20 2013  
Zoning Evaluation Division



⑧ View of Land to  
Property Line.  
Fence is not ours





views of Abutting  
properties from  
inside of house

Front of house

RECEIVED  
Department of Planning & Zoning

DEC 20 2013

Zoning Evaluation Division



Back view of  
Abutting properties  
from inside of  
the house





Side View of  
Abutting property  
from inside of  
the house.

RECEIVED  
Department of Planning & Zoning

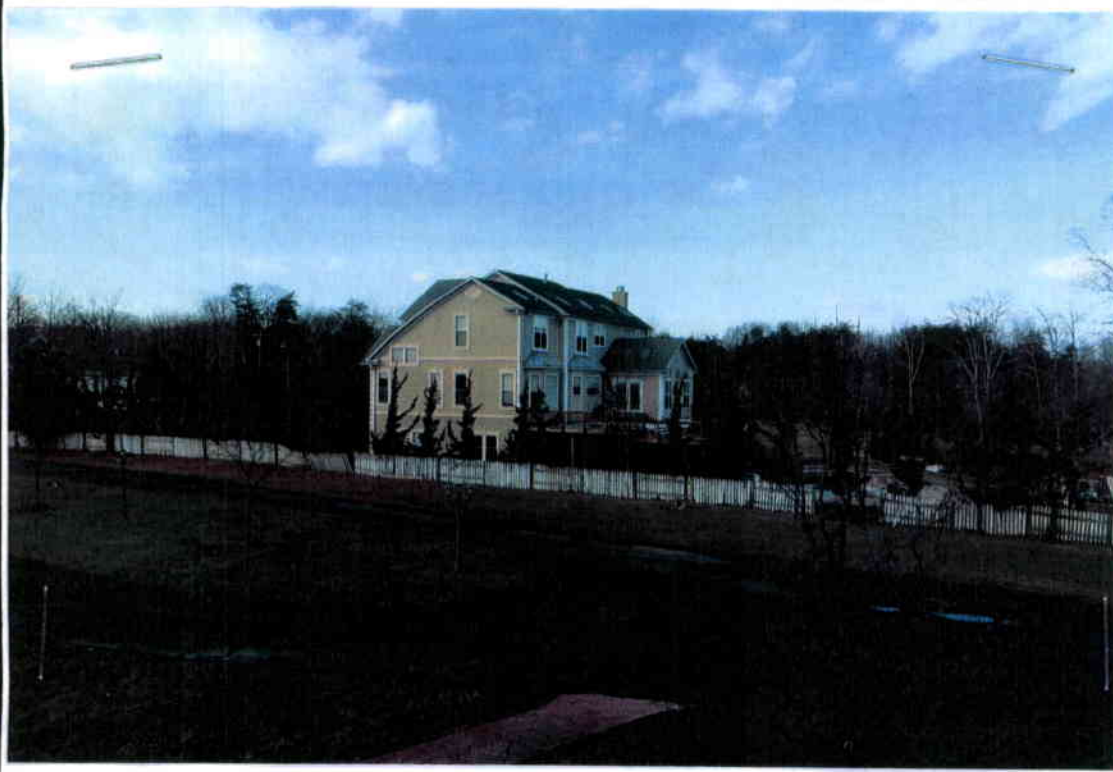
DEC 20 2013

Zoning Evaluation Division



Front View of  
Abutting  
property from  
inside of the  
house.





Side view  
of Abutting  
property from  
Inside of the  
house

RECEIVED  
Department of Planning & Zoning

DEC 20 2013

Zoning Evaluation Division



Side-diagonal  
view of  
Abutting property  
from Inside  
of the house

# Inside the Portlane Facility

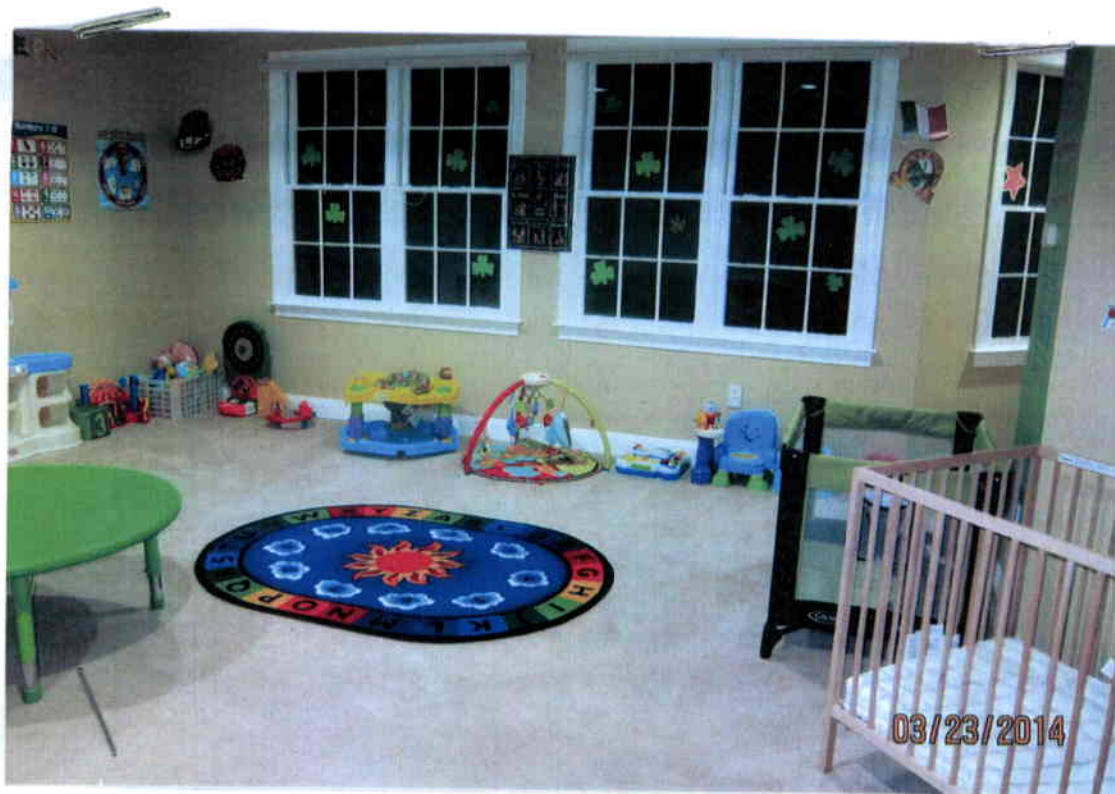


RECEIVED  
Department of Planning & Zoning

DEC 20 2013

Zoning Evaluation Division





2nd Floor  
Games Room  
View from  
Bedroom 2



2nd Floor  
Games Room  
View from  
first entrance



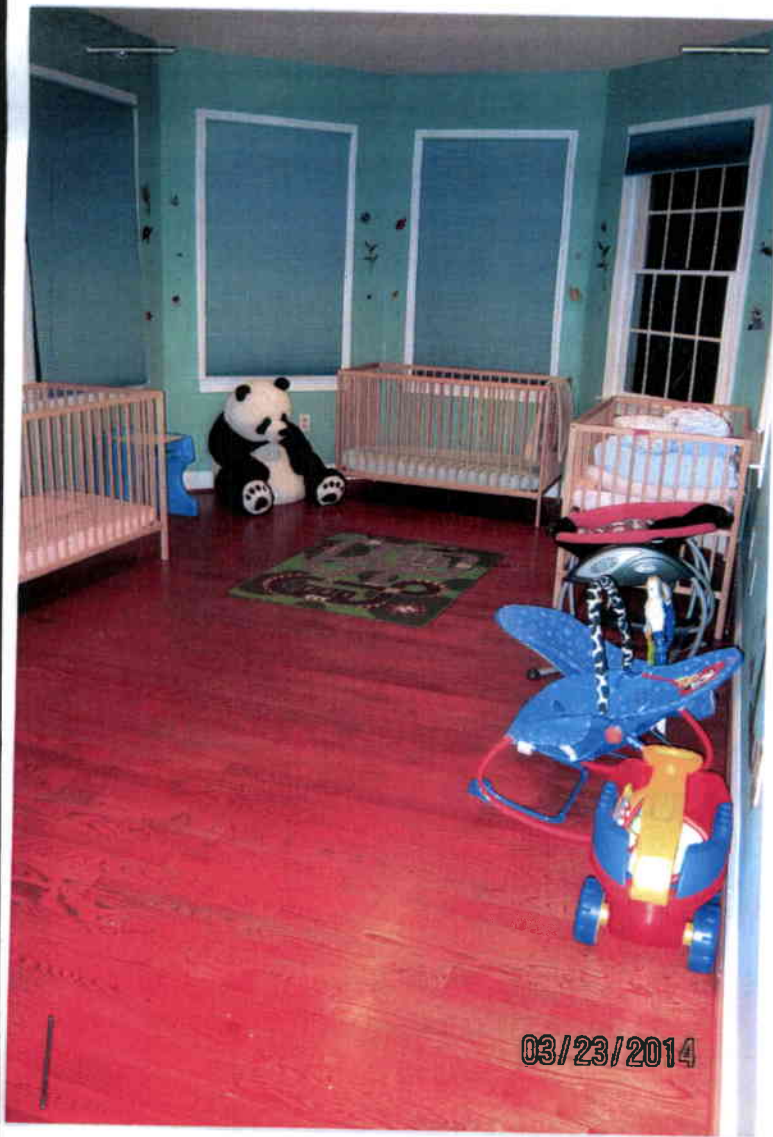
2nd Floor  
Game Room  
View from  
Bedroom 2



2nd Floor  
Game Room  
View from  
First Entrance



2nd Floor Bedroom 2  
View from Door



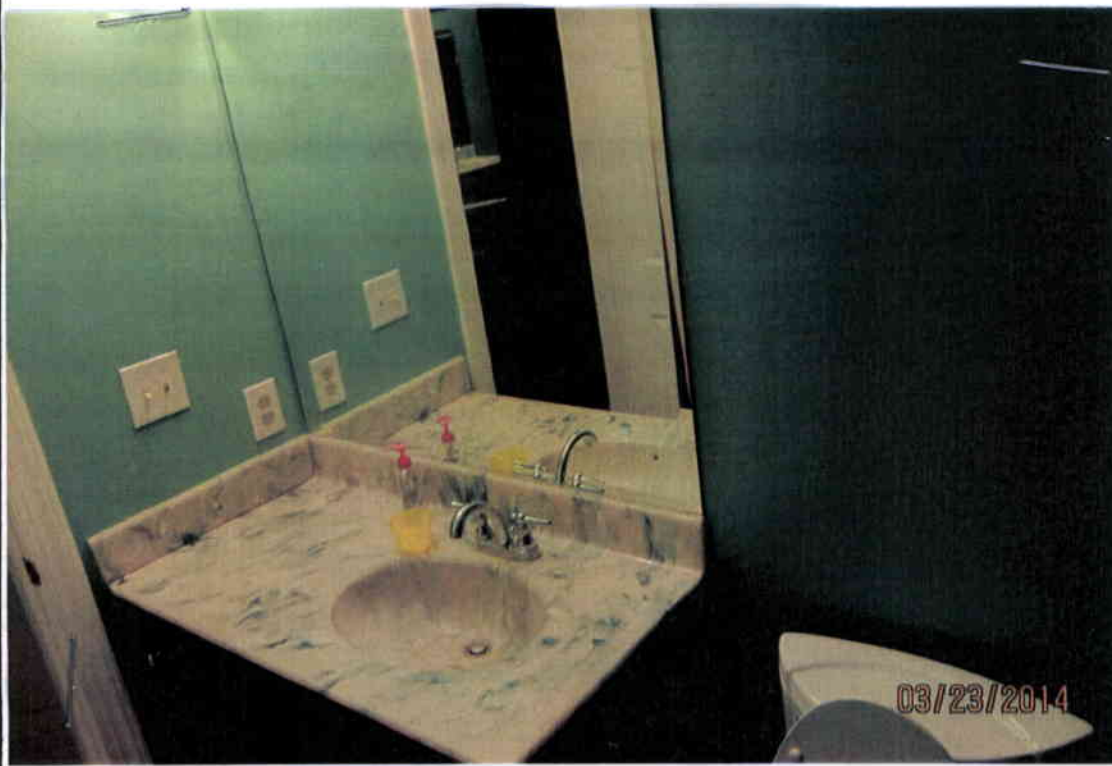
2nd Floor  
Bedroom 2  
View from  
Wall (front)



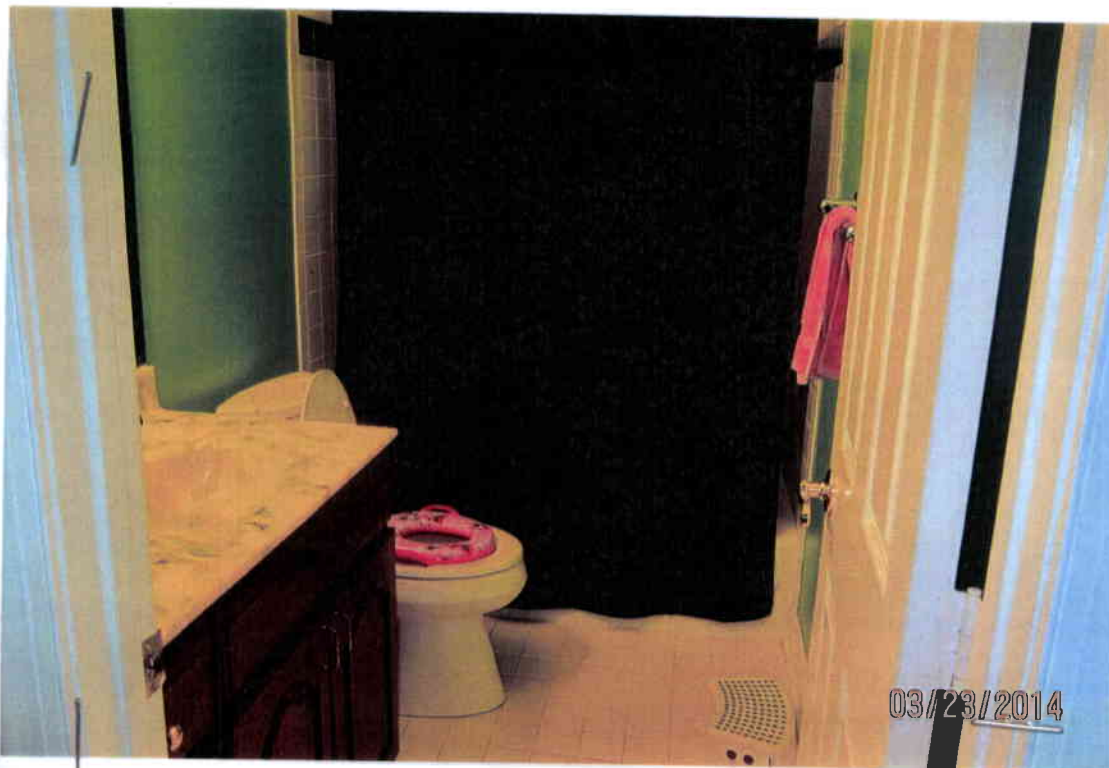


2nd Floor  
Bedroom Two  
View from  
Windows

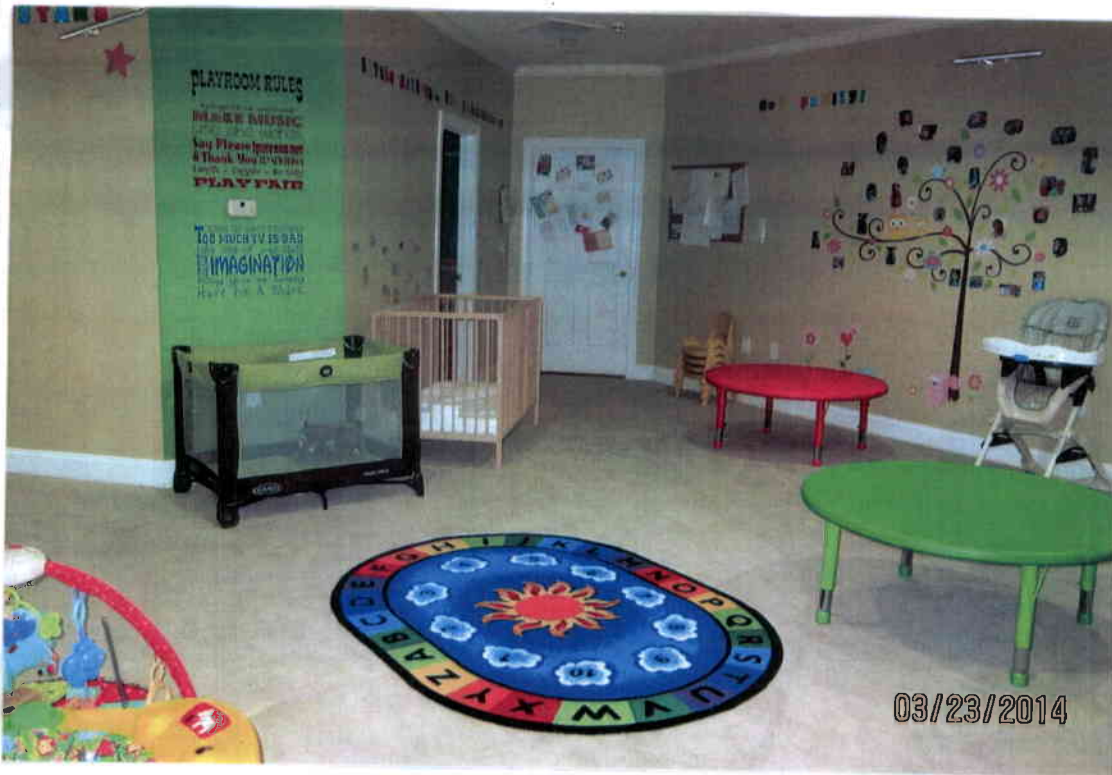




2nd Floor  
Bathroom  
View from  
Tub



2nd floor  
Bathroom  
View from  
Door



2nd Floor  
Game Room  
View from  
window



2nd Floor  
Game Room  
View from  
2nd Entrance



## **SPECIAL PERMIT REQUEST**

The applicant is seeking a special permit to allow a home child care facility for up to twelve children.

A copy of the special permit plat, titled "#5935 Colchester Road & Outlot "A," Colchester Acres," as prepared by Harold A. Logan Associates, P.C, and as revised by the applicant, Maninder Labana, on September 12, 2014, is included in the front of the staff report.

A more detailed description of the proposal is provided on page two.

## **CHARACTER OF THE SITE AND SURROUNDING AREA**

The site is developed with a two story single family detached dwelling. A garage is attached to the northern side of the dwelling. An asphalt driveway loop extends to the west of the dwelling and also south to Colchester Road. A wooden deck is attached to the northeastern side of the dwelling. An 8.5 foot high shed is located to the west of the dwelling.

Mature trees are located to the east and southeast of the dwelling. The property has a mature lawn and is relatively flat.

The subject property and surrounding properties to the north, south, east and west, are zoned R-C and WS, and developed with single family detached dwellings as depicted below.



**BACKGROUND**

Fairfax County Tax Records indicate that the property was purchased in 1997 and the single family dwelling was constructed in 1998.

On April 14, 2004 a building permit was approved for the construction of a deck attached to the northeast façade of the dwelling (Appendix 4).

On March 23, 2012, the applicant received a license from the Fairfax County Office of Family and Children for a home child care (Appendix 5). The county issues a license in a single family dwelling if there are less than 5 children. Any home child care that has more than six children is required to have a Virginia state license. Currently, the applicant has requested 7 children and has a valid state license.

Records indicate that no other special permit or variance applications relating to a home child care have been heard by the Board of Zoning Appeals (BZA) in the surrounding area.

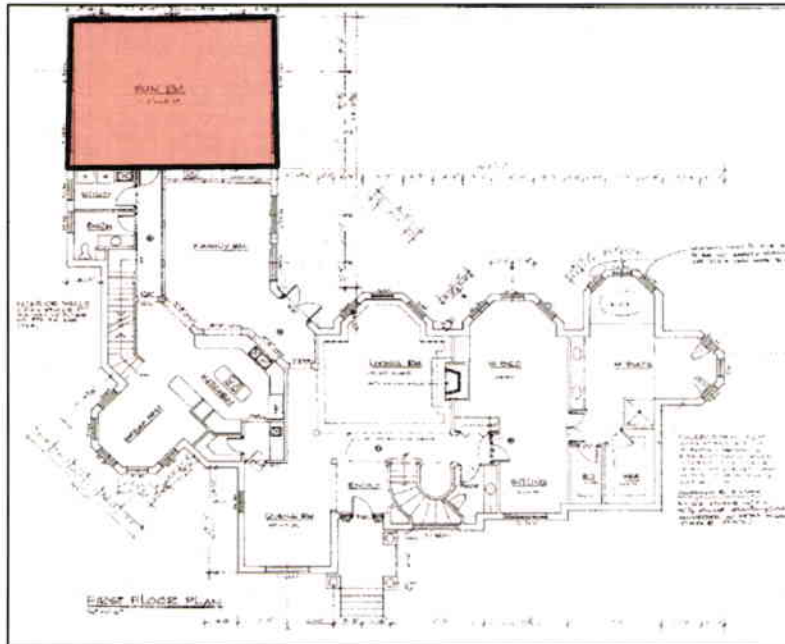
**DESCRIPTION OF THE PROPOSED USE**

The applicant requests approval of a special permit for a home child care facility for up to 12 children on-site at any one time between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday. The applicant has a staggered drop-off and pick-up time for the children, and proposes to have two full time assistants.

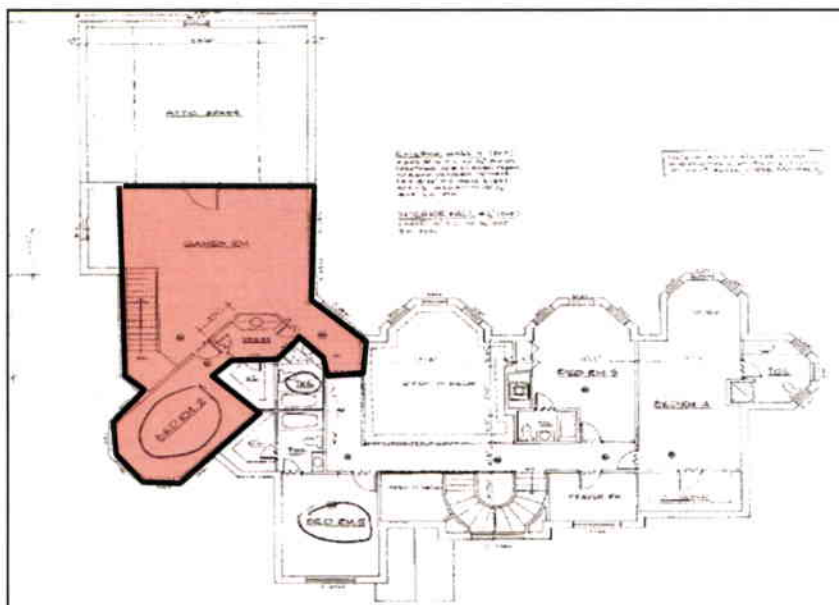
The applicant holds a current Family Day Home License, effective for one year and valid through March 23, 2015, from the Commonwealth of Virginia, Department of Social Services. The license permits a capacity of seven children, 2 months through 12 years of age. A copy of the license is included as Appendix 6.

The home child care facility is operated on the first floor in a sunroom and on the second floor in a game room, bedroom and bathroom. The areas used by the home child care are depicted below. A play area is located in the grassy area to the west of the garage. Pictures provided by the applicant show toys and play equipment located in this area. The children do not use the deck in the rear yard.





First floor area used for HCC



Second floor area used for HCC

## ANALYSIS

### Comprehensive Plan Provisions

**Plan Area:** Area III, Pohick Planning District  
**Planning Sector:** Twin Lakes Community Planning Sector (P-1)  
**Plan Map:** Residential, .1-2 du/ac  
**Site Specific Text:** Property located in the Lincoln-Lewis-Vanoy Conservation Area

**Zoning Ordinance Requirements (Appendix 7)**

- Sect. 8-006 General Special Permit Standards
- Sect. 8-303 All Group 3 Uses
- Sect. 8-305 Additional Standards for Home Child Care Facilities
- Sect. 10-103 Par. 6 Location Regulations

Staff believes that with the adoption of the proposed development conditions the application meets all special permit standards of the Zoning Ordinance.

**On-site Parking and Site Circulation**

The existing driveway has adequate parking for the parents dropping off and picking up their children at the home child care and for the assistants. The assistants and the family at the residence park their cars behind the home and away from the driveway area where the parents would drop off their children.

Access to the site is provided from Colchester Road. A brick walkway connects the driveway to the entrance of the home child care.

Two off street parking spaces are required for the single family dwelling and these are contained within the garage. Staff believes sufficient parking exists in the driveway to accommodate two employees who may drive and for the pick-up and drop-off of children for the home child care use.

**Health Department Comments**

According to the Department of Health, the house is served by a private well and the number of people using the well in this application is appropriate to the use. The private well is monitored on a regular basis according to standards for a single family detached dwelling.

**CONCLUSION**

Staff believes that the subject application is in conformance with the applicable Zoning Ordinance provisions with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report.

**RECOMMENDATION**

Staff recommends approval of SP 2014-SP-073 for the home child care facility with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report.



It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

## **APPENDICES**

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Building Permit History
5. County License
6. State License for Family Day Home
7. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2014-SP-073****September 24, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-SP-073 located at Tax Map 66-4 ((1)) 8A to permit a home child care facility pursuant to Section 8-305 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Maninder K. Labana, Little Footsteps Daycare Center, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 5935 Colchester Road, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat titled "#5935 Colchester Road & Outlot "A," Colchester Acres," as prepared by Harold A. Logan Associates., P.C, and as revised by the applicant, Maninder Labana, on September 12, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit **SHALL BE POSTED IN A CONSPICUOUS PLACE ON THE PROPERTY** of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. The maximum number of children on site at any one time shall be twelve, excluding the applicant's own children.
7. All pick-up and drop-off of children shall take place in the driveway.
8. The maximum number of assistants for the home child care shall be two.
9. Parking spaces shall be provided on the subject parcel, within the areas of existing paving.
10. There shall be no signage associated with the home child care facility.



This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Application No.(s):

SP 2014-SP-073

(county-assigned application number(s), to be entered by County Staff)

## SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE:

2-2-2014

123681

(enter date affidavit is notarized)

I, Maninder K. Labana, do hereby state that I am an  
(enter name of applicant or authorized agent)

(check one)

☒ applicant☐ applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Maninder K. Labana d/b/a Little Footsteps Daycare Center	5935 Colchester Rd Fairfax VA 22030	Applicant Co-applicant
Samrajit Singh	5935 Colchester Rd Fairfax VA 22030	Title Owner
Gurcharan K. Singh	5935 Colchester Rd Fairfax VA 22030	Co-Title Owner

(check if applicable)

☐ There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).



Application No.(s):

SP 2014-SP-073

(county-assigned application number(s), to be entered by County Staff)

Page Two

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE:

2-2-2014

(enter date affidavit is notarized)

123681

1(b). The following constitutes a listing\*\*\* of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

**(NOTE:** Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

**CORPORATION INFORMATION**

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

**DESCRIPTION OF CORPORATION:** (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s):

SP 2014-SP-073

(county-assigned application number(s), to be entered by County Staff)

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE:

2-2-2014

(enter date affidavit is notarized)

123681

- 1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

**PARTNERSHIP INFORMATION**

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state, and zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.



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Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE:

2-2-2014

(enter date affidavit is notarized)

123681

1(d). One of the following boxes must be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s):

SP 2014-SP-073

(county-assigned application number(s), to be entered by County Staff)

Page Five

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE:

2-2-2014

(enter date affidavit is notarized)

123681

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on line below.)

NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

**WITNESS the following signature:**

(check one)

☒ Applicant

☐ Applicant's Authorized Agent

Maninder K. Labana

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 2 day of February 2013, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires:

09/30/2017

Notary Public





12/16/2013

RECEIVED  
Department of Planning & Zoning

DEC 20 2013

Zoning Evaluation Division

Maninder K. Labana  
 Little Footsteps Daycare Center  
 5935 Colchester RD  
 Fairfax, VA 22030  
 (703)389-3986

Fairfax County Zoning Evaluation Division  
 Department of Planning and Zoning  
 12055 Government Center Parkway,  
 Suite 801  
 Fairfax, VA 22035

**To Whom It May Concern:**

The intent of this letter is to gain approval for Special Permit Zoning for my home childcare facility.

- A. My hours of operation are 7AM to 6PM, Monday through Friday.
- B. The estimated number of children I currently have at any one time is 4. At any given time I also have 4 children at one time.
- C. I propose to have one employee who will work full time. However, I would like to receive special permission to have more than one helper to ensure proper child to caregiver ratio.
- D. My estimated drop-off times and largest number of drop-offs at any one time are as follows:
  - 1 child at 7am
  - 2 child at 8:15am
  - 1 children at 8:30am
 My estimated pick-up times and largest number of pick-ups at any one time are as follows:
  - 1 child at 4:30PM
  - 1 children at 5:15PM
  - 2 children at 5:30PM
- E. The general area of neighborhood that will be served by my childcare will be coming from the Fairfax County area.
- F. All the parents' drive to the childcare center and traffic is never an issue. There are multiple ways to get to the home. Parking is also never an issue because the driveway is large enough to hold multiple cars.
- G. The childcare is a detached single-family house located on 2.357 acres of land. The daycare is located on the top floor, which has two rooms, a bathroom, a general sink area, and a storage room that dedicated to the children and equipment. The square footage that is dedicated to the facility is:
  - Bedroom 1 – 29ftX22FT
  - Bedroom 2 – 20FTX12FT

Little Footsteps Daycare Center

• • •

- Bathroom – 9ftX5ft
- General Sink Area 8ftX5ft
- Storage – 13ftX8.5ft

Attached is the floor plan of the rooms that are being used for the childcare facility.

H. As of now I do not have a dedicated outside play area. I hope to have a mini playground set up for the children by June of 2014. I estimate to have a fence that is 6 feet high and the dimensions of the play area will be 800 square feet. The children will get to the location by existing from the side of the house.

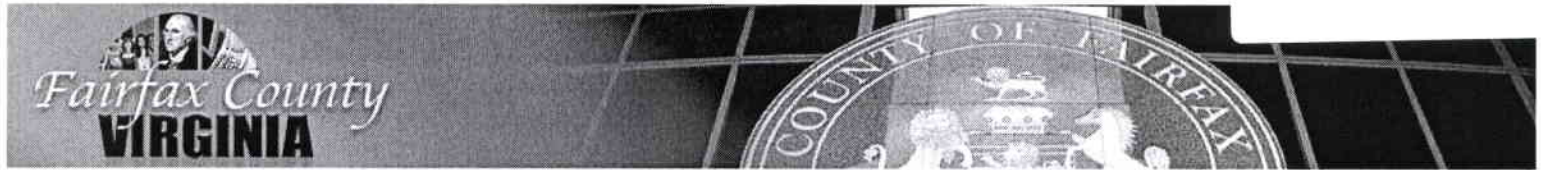
I have reviewed the information on attachment three (Zoning Ordinance General Standards For A Special Permit & Zoning Ordinance Additional Standards For A Home Child Care Facility) and conclude that my application meets the general and special standard in the Zoning Ordinance general standards for a special permit.

If you have any questions please give me a call at 703-389-3986 or email me at [littlefootsteps.va@gmail.com](mailto:littlefootsteps.va@gmail.com).

Sincerely,

A handwritten signature in black ink, appearing to read 'Maninder Labana', with a large, stylized flourish at the end.

Maninder Labana

**Land Development Information History: ISIS - Building Permit - 00105B1340****Permit Information**

Permit Id:	00105B1340	Application Date:	2000-04-14 Time: 13:44:13
Job Address:	005935 COLCHESTER RD	Tax Map:	066-4 ((01)) 0008
Subdivision:	NA	Permit Status:	Initial/Approved (IA)
Trade Name:	NA	Subobj:	181 R/C: R
Applicant Name:	SAMARJIT SINGH	Bldg:	NA Floor: NA Suite: NA
Work Description:	SFD/BUILD DECK PER SUBMITTED PLANS//BKC		
Type Work:	Deck Only-Residential (A33)		
Building Use:	Single-Family, Detached Or Semi-Detached (010)		
Standard:	0295		
Plan Number:	Use Group: R4 Bldg Permit: NA		
Permit Hold Date:	By: QNO: W-00-02298 POF: J		
Hold Release Date:	By: Proffer: Pre-Const Meeting: Date:		
Comments:	WITH STAIRS NO HOT TUB//BKC		

**Permit Status Summary**

Permit Status:	Initial/Approved (IA)	Building Plan Review:	2000-04-14 RSLT: APP BY: JHS
Applied Date:	2000-04-14	Real Estate:	2000-04-14 RSLT: APP BY: BKC
Issued Date:	2000-04-14	Zoning:	2000-04-14 RSLT: APP BY: SS
Paid Date:	2000-04-14	Grading / Drainage:	2000-04-14 RSLT: APP BY: DM
Expiry Date:	2000-10-15	Final Inspection:	2000-08-15 RSLT: R BY: RWK
		Final Inspection:	2001-11-19 RSLT: A BY: TPS

**Owner Information**

Leasee:	Corp:
---------	-------



**Owner:** SINGH GURCHARAN K  
**Address:** 05935 COLCHESTER RD  
**City:** FAIRFAX **State:** VA **Zip:** 22031  
**Phone:**

**Job Magisterial Dist:** Springfield  
**Planning Dist:** Pohick  
**Subcensus Tract:** 920.01

**Contractor Information**

**Name:** OWNER  
**Address:** 00000  
**City:** **State:** **Zip:** 0  
**Phone:**

**Master:**  
**BPOL Licnese:** 0  
**State License:** 0  
**Trade Reg.:** 0

**Building Permit****Building Plan Review**

**Estimated Cost:** 6500  
**Use Group:** (01) R4  
**Type Const:** (01) Combustible/Unprotected (5B)

**Sewer Water Code:** 2  
**Sewer Shed:** N1

**Model Group:**

**Plan Received:** 2000-04-14  
**Review Started:** 2000-04-14  
**Review Completed:** 2000-04-14

**Review Time:** 00:00:00  
**Results:** APP  
**Engineer:** JHS

**Comments:****Totals Fee Area**

Type of Construction	Fee	Fee Rate
Combustible/Unprotected (5B)	500	0.054

Total	500
Filing Fee	56.00
Total Fee	56.00
Amount paid	56.00

**Real Estate Review**

**Building Units:** 0  
**Kitchens:** 0  
**Baths:** 0

**Basement:**  
**Ext Walls:**  
**Int Walls:**  
**Roofing:**

Half Baths:	0	Flooring:	
Bedrooms:	0	Base Fin:	
Rooms:	0	Fuel/Heat:	
Stories:		Fuel System:	
Building Height:	0	Fireplace:	0
Building Area:	0		

Owner of Record: SINGH GURCHARAN K

**Review Data**

Date To: 2000-04-14  
Date From: 2000-04-14  
Results: APP  
Reviewer: BKC

Comments:

**Zoning Review****Review Data**

Date To: 2000-04-14  
Date From: 2000-04-14  
Results: APP  
Reviewer: SS

Comments:

**Grading / Drainage Review****Review Data**

Date To: 2000-04-14  
Date From: 2000-04-14  
Results: APP  
Reviewer: DM

Comments:

**Inspections****Inspection - FTGD - 999998**

Req Taken:	Phone:	
Time:	Floor:	NA

Sched For: Suite/Area: NA

Assigned To: Comments:

Branch: Req Taken By:

Requested By: Ovrd:

Rpt Br: 4

Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
FTGD		2000-05-18	RWK	C	R	N		N			00:00:00	00:00:00	00:00:00	2

**Inspection - FTGD - 999997**

Req Taken: 2000-05-18 Phone:

Time: 10:50:49 Floor: NA

Sched For: 2000-05-19 Suite/Area: NA

Assigned To: A46 Comments:

Branch: 4 Req Taken By: AAC

Requested By: SANG Ovrd:

Rpt Br: 4

Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
FTGD		2000-05-19	AJP	C	A	N		N			00:00:00	00:00:00	00:00:00	1

**Inspection - FTGD - 999996**

Req Taken: 2000-06-29 Phone:

Time: 19:20:01 Floor: NA

Sched For: 2000-06-30 Suite/Area: NA

Assigned To: A46 Comments:

Branch: 4 Req Taken By: VR2

Requested By: FROM VRU Ovrd:

Rpt Br: 4

Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
FTGD		2000-06-30	RLA	C	R	N		N			00:00:00	00:00:00	00:00:00	1

**Inspection - FTGD - 999995**

Req Taken: 2000-07-02 Phone:

Time: 11:30:47 Floor: NA



Sched For: 2000-07-03 Suite/Area: NA  
Assigned To: A46 Comments:  
Branch: 4 Req Taken By: VR2  
Requested By: FROM VRU Ovr:  
Rpt Br: 4

Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
FTGD		2000-07-03	CRO	P	A	N		N			00:00:00	00:00:00	00:00:00	1

**Inspection - FINB - 999994**

Req Taken: 2000-08-12 Phone:  
Time: 15:05:05 Floor: NA  
Sched For: 2000-08-14 Suite/Area: NA  
Assigned To: A46 Comments:  
Branch: 4 Req Taken By: VR2  
Requested By: FROM VRU Ovr:  
Rpt Br: 4

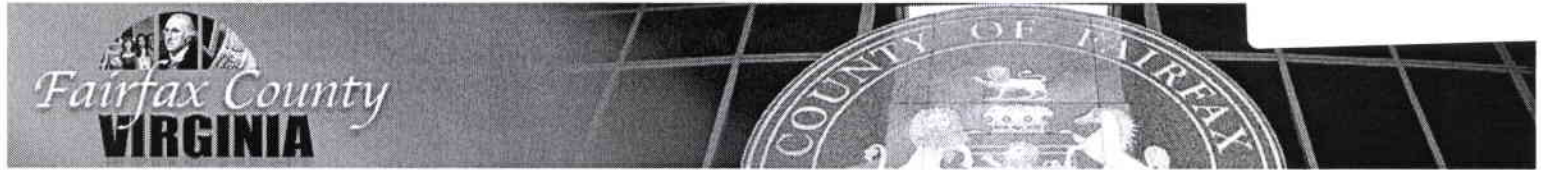
Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
FINB		2000-08-15	RWK	C	R	N		N			00:00:00	00:00:00	00:00:00	1

**Inspection - FINB - 999993**

Req Taken: 2001-11-15 Phone:  
Time: 11:01:46 Floor: NA  
Sched For: 2001-11-16 Suite/Area: NA  
Assigned To: A46 Comments:  
Branch: 4 Req Taken By: MB  
Requested By: SINGH Ovr:  
Rpt Br: 4

Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
FINB		2001-11-19	TPS	C	A	N		N			00:00:00	00:00:00	00:00:00	1

**Contact Us: General** (Office of Public Affairs) | **Technical** (Web Administrator) | **Directed Inquiries** (County Agencies)  
**Phone:County Main Number - 703-FAIRFAX (703-324-7329), TTY 711 | County Phone Listing**

**Land Development Information History: FIDO - License Permit - FPCP OFC - 21443****Permit Information**

Permit Number:	21443	Issued Date:	2012-03-23
Permit Type:	FPCP OFC - FPCP OFFICE FOR CHILDREN	Expire Date:	
Job Address:	5935 COLCHESTER RD FAIRFAX , VA 22030-0000	Tax Map:	066-4 ((01)) 0008A
Location:		Permit Status:	
Subdivision:	NEAR CLIFTON PCL AND OUTLOT A	Bldg:	Floor: Suite:
Magisterial District:	SPRINGFIELD	Permit Fee:	
Subcensus Tract:			
Business Name/Occupant:	LABANA, MANINDER KAUR		
Work Description:			
Type of Work:	F3OFC		
Standard:			

**Owner Information**

Owner:	SINGH GURCHARAN K
Address:	5935 COLCHESTER RD FAIRFAX , 22030

**Contractor Information**

Name:	LABANA, MANINDER KAUR
Address:	5935 COLCHESTER ROAD FAIRFAX , VA 22030-000 22030-000

Trade  
Name/DBA:

## Applicant Information

Applicant:

Address:

## Inspections

## Inspection - FOFC 2013 - 5659129

Insp Type	Insp Date	Insp Name	Partial?	Insp Result
FOFC 2013	2012-04-23	JOHN SHERWOOD	N	Passed

## Inspection - FOFC 2013 - 5641888

Insp Type	Insp Date	Insp Name	Partial?	Insp Result
FOFC 2013	2012-04-12	NATALIE BELL	N	Failed

## Inspection - FOFC 2014 - 5967495

Insp Type	Insp Date	Insp Name	Partial?	Insp Result
FOFC 2014	2013-04-11	MATTHEW SOLOMON	N	Passed

## Inspection - FOFC 2015 - 6295159

Insp Type	Insp Date	Insp Name	Partial?	Insp Result
FOFC 2015	2014-03-20	FREDERICK KECK	N	Passed

## Reviews

There were no reviews.

## Endorsements

There were no endorsements.

**Contact Us:** [General \(Office of Public Affairs\)](#) | [Technical \(Web Administrator\)](#) | [Directed Inquiries \(County Agencies\)](#)  
**Phone:** [County Main Number - 703-FAIRFAX \(703-324-7329\)](#), TTY 711 | [County Phone Listing](#)

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**Maninder Labana**  
5935 Colchester Road  
FAIRFAX, VA 22030  
(703) 389-3986

Facility Type: Family Day Home  
License Type: One Year  
Expiration Date: March 23, 2015  
Business Hours: 7:00am - 6:00pm  
Monday - Friday  
Capacity: 7  
Ages: 2 months - 12 years 11 months  
Inspector: Mary J. Wizbicki  
(703) 359-6709

**8-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

**8-303 Standards for all Group 3 Uses**

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.



**8-305**

**Additional Standards for Home Child Care Facilities**

1. The number of children that may be cared for in a home child care facility may exceed the number of children permitted under Par. 6A of Sect. 10-103, but in no event shall the maximum number of children permitted at any one time exceed twelve (12), excluding the provider's own children. The BZA may also allow more than one nonresident person to be involved with the use. Except as described above, home child care facilities shall also be subject to the use limitations of Par. 6 of Sect. 10-103.
2. The BZA shall review access to the site and all existing and/or proposed parking, including but not limited to the availability of on-street parking and/or alternative drop off and pick up areas located in proximity to the use, to determine if such parking is sufficient. The BZA may require the provision of additional off-street parking spaces based on the maximum number of vehicles expected to be on site at any one time and such parking shall be in addition to the requirement for the dwelling unit.
3. The provisions of Article 13 shall not apply to home child care facilities, however, the BZA may require the provision of landscaping and screening based on the specifics of each application.
4. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plan drawn to scale. The plan, which may be prepared by the applicant, shall contain the following information:
  - A. The dimensions, boundary lines and area of the lot or parcel.
  - B. The location, dimensions and height of any building, structure or addition, whether existing or proposed.
  - C. The distance from all property lines to the existing or proposed building, structure or addition, shown to the nearest foot.
  - D. The dimensions and size of all outdoor recreation space and the location of such space in relation to all lot lines.
5. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

**Sect. 10-103 Use Limitations**

6. The following use limitations shall apply to home child care facilities:

A. The maximum number of children permitted at any one time shall be as follows:

- (1) Seven (7) when such facility is located in a single family detached dwelling.
- (2) Five (5) when such facility is located in a single family attached, multiple family or mobile home dwelling.

The maximum number of children specified above shall not include the provider's own children.

B. A home child care facility shall be operated by the licensed or permitted home child care provider within the dwelling that is the primary residence of such provider, and except for emergency situations, such provider shall be on the premises while the home child care facility is in operation. Notwithstanding the above, a substitute care provider may operate a home child care facility in the absence of the provider for a maximum of 240 hours per calendar year.

C. There shall be no exterior evidence, including signs, that the property is used in any way other than as a dwelling, except that play equipment and other accessory uses and structures permitted by this Part shall be allowed.

D. In addition to the persons who use the dwelling as their primary residence, one (1) nonresident person, whether paid or not for their services, may be involved in the home child care use on the property, provided that there is only one (1) such person on the property at any one time and the hours of such attendance shall be limited to 7:00 AM to 6:00 PM, Monday through Friday.

E. Notwithstanding the provisions of Par. B above, a child care provider may care for the maximum number of children permitted in Par. A above in a dwelling other than the provider's own, as long as the dwelling is the primary residence of at least one of the children being cared for by the provider. Such child care provider shall comprise the one nonresident person allowed under Par. D above.

F. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

**G. An increase in the number of children permitted under Par. A above or the involvement of more than one nonresident person as permitted under Par. D above may be permitted in accordance with the provisions of Part 3 of Article 8.**